



# *The Journal* OF THE *House of Representatives*

Number 26

Thursday, April 8, 2010

The House was called to order by the Speaker at 3:15 p.m.

## Prayer

The following prayer was offered by the Reverend Michael Grover of Fellowship Baptist Church of Tallahassee, upon invitation of Rep. Burgin:

Father, we come to You today, Lord, in the name of Your son, Jesus Christ. And Father, we thank You for the opportunity to call on You, Lord, and acknowledge, God, Your help, Your guidance, Your strength in these times. Father, You've blessed us with some great liberties, and with those liberties come great privileges.

Now Father, I just want to offer a prayer today for the men and women of this body. God, I ask You that You would just allow them to, Lord, deliberate with respect, and Lord, just a sense of a conviction and beliefs. Father, especially today, I want to ask prayer for their families—their responsibilities away from here. I thank You, God, for the sacrifices that they make to be here. Lord, I know often being away from their children, their spouses, Lord, and Father, there is so many other things going on in their lives. And so today, I pray, Lord, that You would allow them to have the focus they need to do the work here. God, I just pray, Father, that as they approach these important issues, Lord, that, Lord, affect the ability of our children to succeed in the future and, Lord, to enjoy the blessings, Lord, that we have enjoyed. I pray, God, that they would make wise decisions, Lord. And Father, we just ask You today that You would just be pleased in the work that's done here. And God, I just thank You so much once again for the privilege of offering prayer on behalf of this body and their staff. God, I just ask this prayer today, in the name of your son, Jesus Christ. Amen.

The following members were recorded present:

Session Vote Sequence: 735

Speaker Cretul in the Chair.

Abruzzo	Cannon	Flores	Hooper
Adams	Carroll	Ford	Horner
Adkins	Chestnut	Fresen	Hudson
Anderson	Clarke-Reed	Galvano	Hukill
Aubuchon	Coley	Garcia	Jenne
Bembry	Cretul	Gibbons	Jones
Bernard	Crisafulli	Gibson	Kelly
Bogdanoff	Cruz	Glorioso	Kiar
Bovo	Culp	Gonzalez	Kreegel
Boyd	Domino	Grady	Kriseman
Brandenburg	Dorworth	Grimsley	Legg
Braynon	Drake	Hasner	Llorente
Brisé	Eisnagle	Hays	Long
Bullard	Evers	Heller	Lopez-Cantera
Burgin	Fetterman	Holder	Mayfield
Bush	Fitzgerald	Homan	McBurney

McKeel	Rader	Sands	Tobia
Murzin	Randolph	Saunders	Troutman
Nehr	Ray	Schenck	Van Zant
Nelson	Reagan	Schultz	Waldman
O'Toole	Reed	Schwartz	Weatherford
Pafford	Rehwinkel Vasilinda	Skidmore	Weinstein
Patronis	Renuart	Snyder	Williams, A.
Patterson	Rivera	Soto	Williams, T.
Plakon	Robaina	Stargel	Wood
Planas	Roberson, K.	Steinberg	Workman
Poppell	Roberson, Y.	Taylor	Zapata
Porth	Rogers	Thompson, G.	
Precourt	Rouson	Thompson, N.	
Proctor	Sachs	Thurston	

A quorum was present.

## Pledge

The members, led by the following, pledged allegiance to the Flag: Jaylan Jones of Williston at the invitation of Rep. Schultz; Ray Payne of Tallahassee at the invitation of Rep. K. Roberson; Athena Raiford of Seminole at the invitation of Rep. Long; Robert Shipman of Fruitland Park at the invitation of Rep. O'Toole; Nicholas Suarez of Miami at the invitation of Rep. Rivera; and Hector Villar of Tallahassee at the invitation of Rep. Kreegel.

## Correction of the *Journal*

The *Journal* of April 6 was further corrected as follows: On page 608, column 2, lines 21-23 from the bottom, delete all of said lines and insert the following in lieu thereof:

**CS/HB 963**—Referred to the Full Appropriations Council on Education & Economic Development and Economic Development & Community Affairs Policy Council.

And on the same day, page 611, column 1, lines 11-13 from the bottom, delete all of said lines and insert the following in lieu thereof:

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1407, HB 1367, and HB 1605 were laid on the table. Refer to CS for HB 1407, HB 1367 & HB 1605.

The *Journal* of April 7 was corrected and approved as corrected.

## Special Orders

**SJR 2**—A joint resolution proposing an amendment to Section 1 of Article IX and the creation of Section 31 of Article XII of the State Constitution to revise class size requirements for public schools and to provide an effective date.

—was read the third time by title.

Representative Kriseman offered the following:

(Amendment Bar Code: 107469)

**Amendment 3 (with schedule and ballot amendments)**—Remove lines 16-81 and insert:

ARTICLE IX  
EDUCATION

SECTION 1. Public education.—

(a) The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require. To assure that children attending public schools obtain a high quality education, the legislature shall make adequate provision to ensure that, by the beginning of the 2010-2011 ~~2010~~ school year and for each school year thereafter, there are a sufficient number of classrooms so that:

(1) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for prekindergarten through grade 3 does not exceed 18 students;

(2) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for grades 4 through 8 does not exceed 22 students; and

(3) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for grades 9 through 12 does not exceed 25 students.

(b) Upon confirmation that schools have met the class size requirements of subsection (a) through the October student membership survey each year, schools may exceed these requirements in the event of unexpected student enrollment growth with the following restrictions:

(1) The maximum number of students who are assigned to each teacher in an individual classroom for prekindergarten through grade 3 does not exceed 21 students;

(2) The maximum number of students who are assigned to each teacher in an individual classroom for grades 4 through 8 does not exceed 27 students; and

(3) The maximum number of students who are assigned to each teacher in an individual classroom for grades 9 through 12 does not exceed 30 students.

The class size requirements of subsections (a) and (b) ~~this subsection~~ do not apply to extracurricular or virtual classes. Payment of the costs associated with reducing class size to meet these requirements is the responsibility of the state and not of local school ~~schools~~ districts. ~~Beginning with the 2003-2004 fiscal year, The legislature shall provide sufficient funds to maintain reduce the average number of students required by subsections (a) and (b) in each classroom by at least two students per year until the maximum number of students per classroom does not exceed the requirements of this subsection.~~

~~(c)(b)~~ Every four-year old child in Florida shall be provided by the State a high quality prekindergarten ~~pre-kindergarten~~ learning opportunity in the form of an early childhood development and education program which shall be voluntary, high quality, free, and delivered according to professionally accepted standards. An early childhood development and education program means an organized program designed to address and enhance each child's ability to make age appropriate progress in an appropriate range of settings in the development of language and cognitive capabilities and emotional, social, regulatory, and moral capacities through education in basic skills and such other skills as the Legislature may determine to be appropriate.

~~(d)(e)~~ The early childhood education and development programs provided by reason of subsection (c) ~~subparagraph (b)~~ shall be implemented no later than the beginning of the 2005 school year through funds generated in

addition to those used for existing education, health, and development programs. Existing education, health, and development programs are those funded by the State as of January 1, 2002, that provided for child or adult education, health care, or development.

SCHEDULE AMENDMENT

Remove lines 82-88 and insert:

ARTICLE XII  
SCHEDULE

SECTION 31. Class size requirements for public schools.—The amendment to Section 1 of Article IX, which provides flexibility for schools to meet class size requirements for public schools due to unexpected student growth after the October student membership survey, and this section shall take effect upon approval by the electors and shall operate retroactively to the beginning of the 2010-2011 school year.

BALLOT AMENDMENT

Remove lines 91-114 and insert:

CONSTITUTIONAL AMENDMENT

ARTICLE IX, SECTION 1

ARTICLE XII, SECTION 31

REVISION OF THE CLASS SIZE REQUIREMENTS FOR PUBLIC SCHOOLS.—Proposes amendment of the State Constitution to provide flexibility for schools to meet class size requirements for public schools due to unexpected student growth after the October student membership survey. For public school classrooms for prekindergarten through grade 3, for grades 4 through 8, and for grades 9 through 12, upon confirmation that a school has met class size requirements through the October student membership survey, provides a limit on the maximum number of students who may be assigned to each teacher in an individual classroom. Provides that class size requirements do not apply to virtual classes. Modifies requirements for funding to require that the Legislature provide sufficient funds to maintain class size requirements. Clarifies that class size requirements apply by the beginning of the 2010-2011 school year and for each school year thereafter. Schedules these revisions to take effect upon approval by the electors of this state and to operate retroactively to the beginning of the 2010-2011 school year.

Rep. Kriseman moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 736

Speaker Cretul in the Chair.

Yeas—43

Abruzzo	Fetterman	Pafford	Saunders
Bernard	Fitzgerald	Porth	Schwartz
Boyd	Garcia	Rader	Skidmore
Brandenburg	Gibbons	Randolph	Soto
Braynon	Gibson	Reed	Steinberg
Brisé	Heller	Rehwinkel	Taylor
Bullard	Jenne	Roberson, Y.	Thompson, G.
Bush	Jones	Rogers	Thurston
Chestnut	Kiar	Rouson	Waldman
Clarke-Reed	Kriseman	Sachs	Williams, A.
Cruz	Long	Sands	

Nays—71

Adams	Burgin	Dorworth	Galvano
Adkins	Cannon	Drake	Glorioso
Anderson	Coley	Eisnagle	Gonzalez
Aubuchon	Cretul	Evers	Grady
Bembry	Crisafulli	Flores	Grimsley
Bogdanoff	Culp	Ford	Hasner
Bovo	Domino	Fresen	Hays

Holder	Mayfield	Precourt	Stargel
Homan	McBurney	Proctor	Thompson, N.
Hooper	McKeel	Ray	Tobia
Horner	Murzin	Reagan	Troutman
Hudson	Nehr	Renuart	Van Zant
Hukill	Nelson	Rivera	Weatherford
Kelly	O'Toole	Robaina	Weinstein
Kreegel	Patronis	Roberson, K.	Williams, T.
Legg	Patterson	Schenk	Wood
Llorente	Plakon	Schultz	Workman
Lopez-Cantera	Poppell	Snyder	

Votes after roll call:

Nays—Ambler, Frishe, Planas, Zapata

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 737].

The question recurred on the passage of SJR 2, which now reads as follows:

**SJR 2**—A joint resolution proposing an amendment to Section 1 of Article IX and the creation of Section 31 of Article XII of the State Constitution to revise class size requirements for public schools and to provide an effective date.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 1 of Article IX and the creation of Section 31 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

#### ARTICLE IX EDUCATION

##### SECTION 1. Public education.—

(a) The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require. To assure that children attending public schools obtain a high quality education, the legislature shall make adequate provision to ensure that, by the beginning of the 2010-2011 ~~2010~~ school year and for each school year thereafter, there are a sufficient number of classrooms so that:

(1) Within each public school, the average maximum number of students who are assigned per class to each teacher who is teaching in public school classrooms for prekindergarten through grade 3 does not exceed 18 students and the maximum number of students assigned to each teacher in an individual classroom does not exceed 21 students;

(2) Within each public school, the average maximum number of students who are assigned per class to each teacher who is teaching in public school classrooms for grades 4 through 8 does not exceed 22 students and the maximum number of students assigned to each teacher in an individual classroom does not exceed 27 students; and

(3) Within each public school, the average maximum number of students who are assigned per class to each teacher who is teaching in public school classrooms for grades 9 through 12 does not exceed 25 students and the maximum number of students assigned to each teacher in an individual classroom does not exceed 30 students.

The class size requirements of this subsection do not apply to extracurricular or virtual classes. Payment of the costs associated with meeting ~~reducing class size to meet~~ these requirements is the responsibility of the state and not of local school ~~schools~~ districts. Beginning with the 2003-2004 fiscal year, The legislature shall provide sufficient funds to maintain ~~reduce~~ the average number of students required by in each classroom by at least two students per

~~year until the maximum number of students per classroom does not exceed the requirements of this subsection.~~

(b) Every four-year old child in Florida shall be provided by the State a high quality prekindergarten ~~pre-kindergarten~~ learning opportunity in the form of an early childhood development and education program which shall be voluntary, high quality, free, and delivered according to professionally accepted standards. An early childhood development and education program means an organized program designed to address and enhance each child's ability to make age appropriate progress in an appropriate range of settings in the development of language and cognitive capabilities and emotional, social, regulatory, and moral capacities through education in basic skills and such other skills as the Legislature may determine to be appropriate.

(c) The early childhood education and development programs provided by reason of subsection ~~subparagraph~~ (b) shall be implemented no later than the beginning of the 2005 school year through funds generated in addition to those used for existing education, health, and development programs. Existing education, health, and development programs are those funded by the State as of January 1, 2002, that provided for child or adult education, health care, or development.

#### ARTICLE XII SCHEDULE

SECTION 31. Class size requirements for public schools.—The amendment to Section 1 of Article IX, relating to class size requirements for public schools, and this section shall take effect upon approval by the electors and shall operate retroactively to the beginning of the 2010-2011 school year.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

#### CONSTITUTIONAL AMENDMENT ARTICLE IX, SECTION 1 ARTICLE XII, SECTION 31

**REVISION OF THE CLASS SIZE REQUIREMENTS FOR PUBLIC SCHOOLS.**—The Florida Constitution currently limits the maximum number of students assigned to each teacher in public school classrooms in the following grade groupings: for prekindergarten through grade 3, 18 students; for grades 4 through 8, 22 students; and for grades 9 through 12, 25 students. Under this amendment, the current limits on the maximum number of students assigned to each teacher in public school classrooms would become limits on the average number of students assigned per class to each teacher, by specified grade grouping, in each public school. This amendment also adopts new limits on the maximum number of students assigned to each teacher in an individual classroom as follows: for prekindergarten through grade 3, 21 students; for grades 4 through 8, 27 students; and for grades 9 through 12, 30 students. This amendment specifies that class size limits do not apply to virtual classes, requires the Legislature to provide sufficient funds to maintain the average number of students required by this amendment, and schedules these revisions to take effect upon approval by the electors of this state and to operate retroactively to the beginning of the 2010-2011 school year.

On passage, the vote was:

Session Vote Sequence: 738

Speaker Cretul in the Chair.

Yeas—77

Adams	Cretul	Gonzalez	Legg
Adkins	Crisafulli	Grady	Llorente
Ambler	Culp	Grimsley	Lopez-Cantera
Anderson	Domino	Hasner	Mayfield
Aubuchon	Dorworth	Hays	McBurney
Bembry	Drake	Holder	McKeel
Bogdanoff	Eisnaugle	Homan	Murzin
Bovo	Evers	Hooper	Nehr
Boyd	Flores	Horner	Nelson
Burgin	Ford	Hudson	O'Toole
Cannon	Fresen	Hukill	Patronis
Carroll	Galvano	Kelly	Patterson
Coley	Glorioso	Kreegel	Plakon

Planas	Rivera	Thompson, N.	Williams, T.
Poppell	Robaina	Tobia	Wood
Precourt	Roberson, K.	Troutman	Workman
Proctor	Schenck	Van Zant	Zapata
Ray	Schultz	Waldman	
Reagan	Snyder	Weatherford	
Renuart	Stargel	Weinstein	

Nays—41

Abruzzo	Fitzgerald	Porth	Schwartz
Bernard	Garcia	Rader	Skidmore
Brandenburg	Gibbons	Randolph	Soto
Braynon	Gibson	Reed	Steinberg
Brisé	Heller	Rehwinkel Vasilinda	Taylor
Bullard	Jenne	Roberson, Y.	Thompson, G.
Bush	Jones	Rogers	Thurston
Chestnut	Kiar	Rouson	Williams, A.
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	
Fetterman	Pafford	Saunders	

Votes after roll call:

Yeas—Frishe

So the joint resolution passed by the required constitutional three-fifths vote of the membership and was certified to the Senate.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 739].

**CS for CS for SB 4**—A bill to be entitled An act relating to education accountability; amending s. 1003.413, F.S., relating to secondary school redesign, to delete obsolete provisions and to conform to changes made by the act; amending s. 1003.4156, F.S.; revising requirements for middle grades promotion; providing that successful completion of a high school level Algebra I, geometry, or Biology I course is not contingent upon a student's performance on the end-of-course assessment; requiring a student to pass the end-of-course assessment to earn high school credit for such courses; specifying information that must be provided to students as part of the personalized academic and career plan; amending s. 1003.428, F.S.; revising requirements for high school graduation; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring district school board standards for grades in certain courses; providing for waiver of end-of-course assessment results for the purpose of determining a course grade and credit for students with disabilities; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation options; updating cross-references; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring district school board standards for grades in certain courses; creating s. 1003.4295, F.S.; requiring high schools to advise students of, and offer, acceleration courses; creating the Credit Acceleration Program; amending s. 1003.493, F.S., relating to career and professional academies, to conform to changes made by the act; amending s. 1007.35, F.S., relating to the Florida Partnership for Minority and Underrepresented Student Achievement, to conform to changes made by the act; amending s. 1008.22, F.S.; revising the statewide student achievement testing program; requiring end-of-course assessments in mathematics and science to replace FCAT Mathematics and FCAT Science beginning with students entering grade 9 in specified school years; providing requirements for the administration of, and student performance on, statewide, standardized end-of-course assessments in mathematics and science; providing for establishment of an implementation schedule to develop and administer end-of-course assessments in certain courses; requiring evaluation and reporting of the transition to specified end-of-course assessments; requiring the use of scaled scores and student achievement levels for describing student success on assessments; requiring the State Board of Education to designate passing scores for end-of-course assessments and scores that indicate high achievement; providing requirements for retaking specified assessments;

providing for waiver of end-of-course assessment requirements for students in exceptional education programs and students who have limited English proficiency; revising provisions relating to testing and reporting schedules; requiring that the Commissioner of Education consider the observance of religious and school holidays when establishing the schedules for the administration of statewide assessments; conforming provisions and cross-references; authorizing the State Board of Education to adopt concordant scores for the FCAT and equivalent scores for end-of-course assessments; deleting retake requirements for use of concordant scores; providing requirements for use of equivalent scores; amending s. 1008.25, F.S., relating to public school student progression, to conform to changes made by the act; amending s. 1008.30, F.S., relating to the common placement test, to conform to changes made by the act; amending s. 1008.34, F.S.; revising provisions that specify the basis for determining school grades to include student performance on end-of-course assessments and to conform provisions to current FCAT assessments; amending s. 1008.341, F.S.; revising provisions that specify the basis for determining an alternative school's school improvement rating to include student performance on end-of-course assessments; amending s. 1008.36, F.S.; revising provisions relating to the use of school recognition awards; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study on the different types of high school diplomas offered in other states; requiring that the study be submitted to the Governor and the Legislature by a specified date; providing an effective date.

—was read the third time by title.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 740].

The question recurred on the passage of CS for CS for SB 4. The vote was:

Session Vote Sequence: 741

Speaker Cretul in the Chair.

Yeas—106

Abruzzo	Evers	Legg	Roberson, Y.
Adams	Fetterman	Llorente	Rogers
Adkins	Fitzgerald	Long	Rouson
Ambler	Flores	Lopez-Cantera	Sachs
Anderson	Ford	Mayfield	Sands
Aubuchon	Fresen	McBurney	Saunders
Bernard	Galvano	McKeel	Schenck
Bogdanoff	Garcia	Murzin	Schultz
Bovo	Gibbons	Nehr	Snyder
Brandenburg	Gibson	Nelson	Soto
Braynon	Glorioso	O'Toole	Stargel
Brisé	Gonzalez	Patronis	Steinberg
Bullard	Grady	Patterson	Taylor
Burgin	Grimsley	Plakon	Thompson, G.
Bush	Hasner	Planas	Thompson, N.
Cannon	Heller	Poppell	Thurston
Carroll	Holder	Porth	Tobia
Chestnut	Hooper	Precourt	Troutman
Clarke-Reed	Horner	Proctor	Waldman
Coley	Hudson	Rader	Weatherford
Cretul	Hukill	Randolph	Weinstein
Crisafulli	Jenne	Ray	Williams, T.
Cruz	Jones	Reagan	Wood
Culp	Kelly	Renuart	Workman
Domino	Kiar	Rivera	Zapata
Dorworth	Kreegel	Robaina	
Eisnagle	Kriseman	Roberson, K.	

Nays—12

Bembry	Hays	Reed	Skidmore
Boyd	Homan	Rehwinkel Vasilinda	Van Zant
Drake	Pafford	Schwartz	Williams, A.

Votes after roll call:

Yeas—Frishe

So the bill passed and was certified to the Senate.

**CS for SB 2126**—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; transferring, renumbering, and amending s. 220.187, F.S.; revising definitions; making operation of the program contingent upon available funds; revising certain eligibility criteria; revising tax credit grant provisions; specifying a tax credit cap; providing for increasing the tax credit cap under certain circumstances; providing application procedures and requirements; providing for unused amounts of tax credits to be carried forward; providing application requirements; providing limitations on conveying, assigning, or transferring tax credits; revising provisions governing the rescission of taxpayer tax credits; deleting a prohibition against claiming certain multiple tax credits; specifying additional obligations for eligible nonprofit scholarship-funding organizations relating to development and review of certain accounting procedures and guidelines; providing reporting requirements; limiting private school participation eligibility to certain grades; requiring private schools to annually contract with accountants to perform certain procedures; providing reporting and procedural requirements; revising certain obligations of the Department of Education; specifying additional requirements for certain independent research organizations; providing responsibilities of the Department of Education; deleting certain requirements for independent research organizations; authorizing the Commissioner of Education to deny, suspend, or revoke private school program participation under certain circumstances; providing requirements and criteria; revising limitations on annual amounts of scholarships provided; deleting certain corporate tax credit carryforward authority; revising certain rulemaking authority; providing for severability and for preserving certain additional tax credits; creating s. 211.0251, F.S.; providing for a credit against the oil and gas production tax for certain program contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; creating s. 212.1831, F.S.; providing for a credit against sales and use tax for certain program contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; amending s. 213.053, F.S.; expanding the authority of the Department of Revenue to disclose certain information; amending s. 220.13, F.S.; revising the determination of additions to adjusted federal income; providing intent; providing for construction of certain provisions; providing for retroactive application; creating s. 220.1875, F.S.; providing for a credit against the corporate income tax for certain program contributions; providing limitations; providing for adjustments; providing for application; creating s. 561.1211, F.S.; providing for a credit against certain alcoholic beverage taxes for certain contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; amending ss. 220.02, 220.186, 624.51055, 1001.10, 1002.20, 1002.23, 1002.39, 1002.421, 1006.061, 1012.315, and 1012.796, F.S.; conforming cross-references to changes made by the act; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to implement the act; providing effective dates.

—was read the third time by title.

Representative Brisé offered the following:

(Amendment Bar Code: 197235)

**Amendment 1 (with title amendment)**—Remove line 99 and insert: contributions to nonprofit scholarship-funding organizations or public schools in

Remove line 132 and insert: funding organization or public school. The taxpayer making the contribution may

#### TITLE AMENDMENT

Remove line 4 and insert:

220.187, F.S.; revising program purposes to include contributions to public schools; revising definitions; making operation

Rep. Brisé moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 742

Speaker Cretul in the Chair.

Yeas—45

Abruzzo	Domino	Pafford	Schwartz
Bembry	Fetterman	Porth	Skidmore
Bernard	Fitzgerald	Rader	Soto
Boyd	Garcia	Randolph	Steinberg
Brandenburg	Gibbons	Reed	Taylor
Braynon	Gibson	Rehwinkel Vasilinda	Thompson, G.
Brisé	Heller	Roberson, Y.	Thurston
Bullard	Jenne	Rogers	Waldman
Bush	Jones	Rouson	Williams, A.
Chestnut	Kiar	Sachs	
Clarke-Reed	Kriseman	Sands	
Cruz	Long	Saunders	

Nays—73

Adams	Fresen	Lopez-Cantera	Robaina
Adkins	Frishe	Mayfield	Roberson, K.
Ambler	Galvano	McBurney	Schenck
Anderson	Glorioso	McKeel	Schultz
Aubuchon	Gonzalez	Murzin	Snyder
Bogdanoff	Grady	Nehr	Stargel
Bovo	Grimsley	Nelson	Thompson, N.
Burgin	Hasner	O'Toole	Tobia
Cannon	Hays	Patronis	Troutman
Carroll	Holder	Patterson	Van Zant
Coley	Homan	Plakon	Weatherford
Cretul	Hooper	Planas	Weinstein
Crisafulli	Horner	Poppell	Williams, T.
Culp	Hudson	Precourt	Wood
Dorworth	Hukill	Proctor	Workman
Drake	Kelly	Ray	Zapata
Eisnaugle	Kreegel	Reagan	
Evers	Legg	Renuart	
Ford	Llorente	Rivera	

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 743].

The question recurred on the passage of CS for SB 2126. The vote was:

Session Vote Sequence: 744

Speaker Cretul in the Chair.

Yeas—95

Abruzzo	Coley	Hasner	Nehr
Adams	Cretul	Hays	Nelson
Adkins	Crisafulli	Heller	O'Toole
Ambler	Culp	Holder	Patronis
Anderson	Domino	Homan	Patterson
Aubuchon	Dorworth	Hooper	Plakon
Bembry	Drake	Horner	Planas
Bernard	Eisnaugle	Hudson	Poppell
Bogdanoff	Evers	Hukill	Precourt
Bovo	Flores	Kelly	Proctor
Boyd	Ford	Kreegel	Ray
Braynon	Fresen	Legg	Reagan
Brisé	Frishe	Llorente	Reed
Burgin	Galvano	Long	Renuart
Bush	Garcia	Lopez-Cantera	Rivera
Cannon	Glorioso	Mayfield	Robaina
Carroll	Gonzalez	McBurney	Roberson, K.
Chestnut	Grady	McKeel	Rogers
Clarke-Reed	Grimsley	Murzin	Rouson

Sachs	Soto	Troutman	Williams, T.
Saunders	Stargel	Van Zant	Wood
Schenck	Taylor	Waldman	Workman
Schultz	Thompson, N.	Weatherford	Zapata
Snyder	Tobia	Weinstein	

Nays—23

Brandenburg	Gibson	Porth	Schwartz
Bullard	Jenne	Rader	Skidmore
Cruz	Jones	Randolph	Steinberg
Fetterman	Kiar	Rehwinkel	Vasilinda
Fitzgerald	Kriseman	Roberson, Y.	Thompson, G.
Gibbons	Pafford	Sands	Thurston

So the bill passed and was certified to the Senate.

**HB 245** was taken up.

On motion by Rep. Bernard, the rules were waived and CS for SB 436 was taken up instantler, the Senate Message having been received earlier today.

*The Honorable Larry Cretul, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for SB 436, as amended, and requests the concurrence of the House.

*R. Philip Twogood, Secretary*

By the Committee on Higher Education; and Senators Baker, Smith, and Bullard—

**CS/SB 436**—A bill to be entitled An act relating to community colleges; amending s. 288.8175, F.S., relating to educational institutes; conforming provisions; amending s. 1000.21, F.S.; renaming Central Florida Community College as “College of Central Florida,” renaming Lake City Community College as “Florida Gateway College,” renaming Palm Beach Community College as “Palm Beach State College,” and renaming Seminole Community College as “Seminole State College of Florida”; providing an effective date.

—was read the first time by title. On motion by Rep. Bernard, the rules were waived and the bill was read the second time by title.

On motion by Rep. Bernard, the House agreed to waive the rules and substitute CS for SB 436 for HB 245 and read CS for SB 436 the third time by title. Under Rule 5.13, the House bill was laid on the table.

The question recurred on the passage of CS for SB 436. On passage, the vote was:

Session Vote Sequence: 745

Speaker Cretul in the Chair.

Yeas—117

Abruzzo	Cannon	Ford	Horner
Adams	Carroll	Fresen	Hudson
Adkins	Chestnut	Frishe	Hukill
Ambler	Clarke-Reed	Galvano	Jenne
Anderson	Coley	Garcia	Jones
Aubuchon	Cretul	Gibbons	Kelly
Bembry	Crisafulli	Gibson	Kiar
Bernard	Cruz	Glorioso	Kreegel
Bogdanoff	Culp	Gonzalez	Kriseman
Bovo	Domino	Grady	Legg
Boyd	Dorworth	Grimsley	Llorente
Brandenburg	Drake	Hasner	Long
Braynon	Eisnaugle	Hays	Lopez-Cantera
Brisé	Evers	Heller	Mayfield
Bullard	Fetterman	Holder	McBurney
Burgin	Fitzgerald	Homan	McKeel
Bush	Flores	Hooper	Murzin

Nehr	Randolph	Saunders	Tobia
Nelson	Ray	Schenck	Troutman
O'Toole	Reagan	Schultz	Van Zant
Pafford	Reed	Schwartz	Waldman
Patronis	Renuart	Skidmore	Weatherford
Patterson	Rivera	Snyder	Weinstein
Plakon	Robaina	Soto	Williams, T.
Planas	Roberson, K.	Stargel	Wood
Poppell	Roberson, Y.	Steinberg	Workman
Porth	Rogers	Taylor	Zapata
Precourt	Rouson	Thompson, G.	
Proctor	Sachs	Thompson, N.	
Rader	Sands	Thurston	

Nays—None

Votes after roll call:

Yeas—Rehwinkel Vasilinda, Williams, A.

So the bill passed and was certified to the Senate.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 746].

**CS for CS for SB 6**—A bill to be entitled An act relating to education personnel; amending s. 39.202, F.S.; authorizing the release of child abuse records to certain employees and agents of the Department of Education; amending s. 447.403, F.S.; deleting a provision that provides for an expedited impasse hearing for disputes involving the Merit Award Program plan to conform to changes made by the act; amending s. 1002.33, F.S.; requiring a charter school to adopt a salary schedule for instructional personnel and school-based administrators which meets certain requirements; providing that charter schools must meet certain requirements for end-of-course assessments, performance appraisals, and certain contracts; deleting a cross-reference to conform to changes made by the act; requiring that the Commissioner of Education review certain charter schools for compliance with the requirements for a salary schedule, assessments, and contracts; requiring a specified funding adjustment to be imposed against a charter school that is not in compliance; amending s. 1003.52, F.S.; deleting a cross-reference to conform to changes made by the act; repealing s. 1003.62, F.S., relating to academic performance-based charter school districts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; repealing s. 1003.63, relating to the deregulated public schools pilot program; amending s. 1004.04, F.S.; revising the criteria for continued approval of teacher preparation programs to include student learning gains; deleting the waiver of admissions criteria for certain students; deleting the criterion relating to employer satisfaction; revising the requirements for a teacher preparation program to provide additional training to a graduate who fails to demonstrate essential skills; deleting a provision that requires state-approved teacher preparation programs and public and private institutions offering training for school-readiness-related professions to report graduate satisfaction ratings; revising the requirements for preservice field experience programs; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; amending s. 1004.85, F.S.; revising the requirements for individuals who participate in programs at postsecondary educator preparation institutes; revising the requirements for approved alternative certification programs and instructors; creating s. 1008.222, F.S.; requiring school districts to develop and implement end-of-course assessments; requiring a review of assessments by the Commissioner of Education; amending s. 1009.40, F.S.; deleting cross-references to conform to changes made by the act; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the Critical Teacher Shortage Tuition Reimbursement Program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; amending s. 1009.94, F.S.; deleting cross-references to conform to changes made by the act; creating s. 1011.626, F.S.; providing legislative findings and intent; creating the Performance Fund for Instructional Personnel and School-Based Administrators; providing for

calculation of the fund amount; providing for distribution of funds to districts and specifying purposes for which funds may be expended; providing for reversion of unexpended funds; specifying that salary increases from these funds are in addition to other salary adjustments; specifying requirements for individuals paid from federal grants; requiring that each district school board submit its district adopted salary schedule and certain assessments to the Commissioner of Education for review; requiring that the commissioner determine compliance with requirements applicable to the schedules and assessments; requiring a review by the Auditor General of certain classroom teacher contracts; requiring that the Commissioner of Education notify the Governor and Legislature of school districts that fail to comply with salary schedule, assessment, and contract requirements; requiring a specified funding adjustment to be imposed against a school district for such failure to comply; requiring that the State Board of Education adopt rules; amending s. 1011.69, F.S.; deleting a provision that exempts academic performance-based charter school districts from the Equity in School-Level Funding Act to conform to changes made by the act; amending s. 1012.05, F.S.; revising the Department of Education's responsibilities for teacher recruitment; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; deleting cross-references to conform to changes made by the act; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; repealing s. 1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the end-of-course examinations for the Merit Award Program; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain educational personnel; requiring a district school board's decision to retain personnel who have continuing contracts or professional service contracts to be primarily based on the employee's performance; deleting requirements that school board decisions for workforce reductions be based on collective bargaining agreements; deleting requirements for district school board rules for workforce reduction; creating s. 1012.335, F.S.; providing definitions; providing employment criteria for newly hired classroom teachers; providing grounds for termination; requiring that the State Board of Education adopt rules defining the term "just cause"; providing guidelines for such term; amending s. 1012.34, F.S.; revising provisions related to the appraisal of instructional personnel and school-based administrators; requiring that the Department of Education approve school district appraisal instruments; requiring the Department of Education to collect appraisal information from school districts and to report such information to the Governor and the Legislature; providing requirements for appraisal systems; authorizing an employee to request that a district school superintendent review an unsatisfactory performance appraisal; conforming provisions to changes made by the act; amending s. 1012.42, F.S.; prohibiting a district school board from assigning a new teacher to teach reading, science, or mathematics if he or she is not certified in those subject areas; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.56, F.S.; revising the certification requirements for persons holding a valid professional standard teaching certificate issued by another state; providing additional means of demonstrating mastery of professional preparation and education competence; requiring that the State Board of Education review the current subject area examinations and increase the scores necessary for achieving certification; authorizing the State Board of Education to adopt rules to allow certain college credit to be used to meet certification requirements; amending s. 1012.585, F.S.; providing for future expiration of provisions governing certification of teachers who hold national certification; revising the renewal requirements for a professional certificate; providing additional requirements that must be met in order to renew the certificate; requiring that the State Board of Education adopt rules for the renewal of a certificate held by a certificateholder who has not been evaluated under s. 1012.34, F.S.; amending s. 1012.72, F.S.; limiting bonuses under the Dale Hickam Excellent Teaching Program to individuals who remain continuously employed in a public school in this state or the Florida School for the Deaf and the Blind; amending s. 1012.79, F.S.; revising the composition of the Education Practices Commission; conforming provisions to changes made by

the act; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; requiring that the Department of Education submit a report on the cost-effectiveness of teacher preparation programs to the Governor and the Legislature by a specified date; specifying the report requirements; requiring that the Office of Program Policy Analysis and Government Accountability submit recommendations to the Legislature relating to changes in the criteria for the continued approval of teacher preparation programs; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing for severability; providing for application of a specified provision of the act; providing effective dates.

—was read the third time by title.

Representative Schwartz offered the following:

(Amendment Bar Code: 415859)

**Amendment 14**—Remove line 243 and insert:  
after July 1, 2013.

Remove line 376 and insert:  
or after July 1, 2013, are subject to s. 1012.335.

Remove line 1056 and insert:  
after July 1, 2013.—

Remove line 1068 and insert:  
(a) Beginning July 1, 2013, each person newly hired as a

Remove line 1645 and insert:  
holding NBPTS certification on July 1, 2013, and who remain

Remove lines 1809-1812 and insert:  
readopted on or after July 1, 2013, and to all contracts on or after July 1, 2016.

Section 39. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013.

Rep. Schwartz moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 747].

The question recurred on the adoption of **Amendment 14**, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 748

Speaker Cretul in the Chair.

Yeas—47

Abruzzo	Fetterman	Pafford	Saunders
Bembry	Fitzgerald	Porth	Schwartz
Bernard	Garcia	Rader	Skidmore
Boyd	Gibbons	Randolph	Soto
Brandenburg	Gibson	Reed	Steinberg
Braynon	Heller	Rehwinkel	Taylor
Brisé	Homan	Robaina	Thompson, G.
Bullard	Jenne	Roberson, Y.	Thurston
Bush	Jones	Rogers	Waldman
Chestnut	Kiar	Rouson	Williams, A.
Clarke-Reed	Kriseman	Sachs	Zapata
Cruz	Long	Sands	

Nays—71

Adams	Aubuchon	Cannon	Crisafulli
Adkins	Bogdanoff	Carroll	Culp
Ambler	Bovo	Coley	Domino
Anderson	Burgin	Cretul	Dorworth

Drake	Holder	Nehr	Schenck
Eisnaugle	Hooper	Nelson	Schultz
Evers	Horner	O'Toole	Snyder
Flores	Hudson	Patronis	Stargel
Ford	Hukill	Patterson	Thompson, N.
Fresen	Kelly	Plakon	Tobia
Frishe	Kreegel	Poppell	Troutman
Galvano	Legg	Precourt	Van Zant
Glorioso	Llorente	Proctor	Weatherford
Gonzalez	Lopez-Cantera	Ray	Weinstein
Grady	Mayfield	Reagan	Williams, T.
Grimsley	McBurney	Renuart	Wood
Hasner	McKeel	Rivera	Workman
Hays	Murzin	Roberson, K.	

Votes after roll call:

Yeas—Planas

Representative Kriseman offered the following:

(Amendment Bar Code: 699345)

**Amendment 15**—Remove lines 543-544 and insert:

b. The percent of graduates obtaining full-time, part-time, and substitute teaching employment within the first year of graduation. Satisfaction

Rep. Kriseman moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 749].

The question recurred on the adoption of **Amendment 15**, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 750

Speaker Cretul in the Chair.

Yeas—46

Abruzzo	Fetterman	Pafford	Saunders
Bembry	Fitzgerald	Porth	Schwartz
Bernard	Garcia	Rader	Skidmore
Boyd	Gibbons	Randolph	Soto
Brandenburg	Gibson	Reed	Steinberg
Braynon	Heller	Rehwinkel Vasilinda	Taylor
Brisé	Homan	Robaina	Thompson, G.
Bullard	Jenne	Roberson, Y.	Thurston
Bush	Jones	Rogers	Waldman
Chestnut	Kiar	Rouson	Williams, A.
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	

Nays—72

Adams	Evers	Kreegel	Ray
Adkins	Flores	Legg	Reagan
Ambler	Ford	Llorente	Renuart
Anderson	Fresen	Lopez-Cantera	Rivera
Aubuchon	Frishe	Mayfield	Roberson, K.
Bogdanoff	Galvano	McBurney	Schenck
Bovo	Glorioso	McKeel	Schultz
Burgin	Gonzalez	Murzin	Snyder
Cannon	Grady	Nehr	Stargel
Carroll	Grimsley	Nelson	Thompson, N.
Coley	Hasner	O'Toole	Tobia
Cretul	Hays	Patronis	Troutman
Crisafulli	Holder	Patterson	Van Zant
Culp	Hooper	Plakon	Weatherford
Domino	Horner	Planas	Weinstein
Dorworth	Hudson	Poppell	Williams, T.
Drake	Hukill	Precourt	Wood
Eisnaugle	Kelly	Proctor	Workman

Representative Kriseman offered the following:

(Amendment Bar Code: 430383)

**Amendment 16**—Remove lines 766-768 and insert:

(a) Quality classroom teachers, school-based administrators, legislative funding, classroom environment, and parental involvement are some of the strongest indicators of student achievement.

Rep. Kriseman moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 751].

The question recurred on the adoption of **Amendment 16**, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 752

Speaker Cretul in the Chair.

Yeas—46

Abruzzo	Fetterman	Pafford	Saunders
Bembry	Fitzgerald	Porth	Schwartz
Bernard	Garcia	Rader	Skidmore
Boyd	Gibbons	Randolph	Soto
Brandenburg	Gibson	Reed	Steinberg
Braynon	Heller	Rehwinkel Vasilinda	Taylor
Brisé	Homan	Robaina	Thompson, G.
Bullard	Jenne	Roberson, Y.	Thurston
Bush	Jones	Rogers	Waldman
Chestnut	Kiar	Rouson	Williams, A.
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	

Nays—72

Adams	Evers	Kreegel	Ray
Adkins	Flores	Legg	Reagan
Ambler	Ford	Llorente	Renuart
Anderson	Fresen	Lopez-Cantera	Rivera
Aubuchon	Frishe	Mayfield	Roberson, K.
Bogdanoff	Galvano	McBurney	Schenck
Bovo	Glorioso	McKeel	Schultz
Burgin	Gonzalez	Murzin	Snyder
Cannon	Grady	Nehr	Stargel
Carroll	Grimsley	Nelson	Thompson, N.
Coley	Hasner	O'Toole	Tobia
Cretul	Hays	Patronis	Troutman
Crisafulli	Holder	Patterson	Van Zant
Culp	Hooper	Plakon	Weatherford
Domino	Horner	Planas	Weinstein
Dorworth	Hudson	Poppell	Williams, T.
Drake	Hukill	Precourt	Wood
Eisnaugle	Kelly	Proctor	Workman

Representative Williams, A. offered the following:

(Amendment Bar Code: 085183)

**Amendment 17**—Remove lines 978-980 and insert:

1. a. As provided in this paragraph, the district school board has the option to adopt a salary schedule that compensates employees based solely on their performance. A school district that does not adopt a salary schedule based solely on employee performance may not be penalized. The district school board shall

Rep. A. Williams moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 753].

The question recurred on the adoption of **Amendment 17**, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 754

Speaker Cretul in the Chair.

Yeas—45

Abruzzo	Fetterman	Pafford	Saunders
Bembry	Fitzgerald	Porth	Skidmore
Bernard	Garcia	Rader	Soto
Boyd	Gibbons	Randolph	Steinberg
Brandenburg	Gibson	Reed	Taylor
Braynon	Heller	Rehwinkel Vasilinda	Thompson, G.
Brisé	Homan	Robaina	Thurston
Bullard	Jenne	Roberson, Y.	Waldman
Bush	Jones	Rogers	Williams, A.
Chestnut	Kiar	Rouson	
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	

Nays—72

Adams	Evers	Kreegel	Ray
Adkins	Flores	Legg	Reagan
Ambler	Ford	Llorente	Renuart
Anderson	Fresen	Lopez-Cantera	Rivera
Aubuchon	Frishe	Mayfield	Roberson, K.
Bogdanoff	Galvano	McBurney	Schenck
Bovo	Glorioso	McKeel	Schultz
Burgin	Gonzalez	Murzin	Snyder
Cannon	Grady	Nehr	Stargel
Carroll	Grimsley	Nelson	Thompson, N.
Coley	Hasner	O'Toole	Tobia
Cretul	Hays	Patronis	Troutman
Crisafulli	Holder	Patterson	Van Zant
Culp	Hooper	Plakon	Weatherford
Domino	Horner	Planas	Weinstein
Dorworth	Hudson	Poppell	Williams, T.
Drake	Hukill	Precourt	Wood
Eisnaugle	Kelly	Proctor	Workman

Representative Kriseman offered the following:

(Amendment Bar Code: 024057)

**Amendment 18**—Remove line 1569 and insert:

The State Board of Education shall annually review the current subject

Rep. Kriseman moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 755].

The question recurred on the adoption of **Amendment 18**, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 756

Speaker Cretul in the Chair.

Yeas—46

Abruzzo	Fetterman	Pafford	Saunders
Bembry	Fitzgerald	Porth	Schwartz
Bernard	Garcia	Rader	Skidmore
Boyd	Gibbons	Randolph	Soto
Brandenburg	Gibson	Reed	Steinberg
Braynon	Heller	Rehwinkel Vasilinda	Taylor
Brisé	Homan	Robaina	Thompson, G.
Bullard	Jenne	Roberson, Y.	Thurston
Bush	Jones	Rogers	Waldman
Chestnut	Kiar	Rouson	Williams, A.
Clarke-Reed	Kriseman	Sachs	
Cruz	Long	Sands	

Nays—72

Adams	Evers	Kreegel	Ray
Adkins	Flores	Legg	Reagan
Ambler	Ford	Llorente	Renuart
Anderson	Fresen	Lopez-Cantera	Rivera
Aubuchon	Frishe	Mayfield	Roberson, K.
Bogdanoff	Galvano	McBurney	Schenck
Bovo	Glorioso	McKeel	Schultz
Burgin	Gonzalez	Murzin	Snyder
Cannon	Grady	Nehr	Stargel
Carroll	Grimsley	Nelson	Thompson, N.
Coley	Hasner	O'Toole	Tobia
Cretul	Hays	Patronis	Troutman
Crisafulli	Holder	Patterson	Van Zant
Culp	Hooper	Plakon	Weatherford
Domino	Horner	Planas	Weinstein
Dorworth	Hudson	Poppell	Williams, T.
Drake	Hukill	Precourt	Wood
Eisnaugle	Kelly	Proctor	Workman

Representative Bullard offered the following:

(Amendment Bar Code: 073939)

**Amendment 19 (with title amendment)**—Between lines 1810 and 1811, insert:

Section 39. This act may be implemented only when all members of the Florida Legislature have completed the equivalent of 9 weeks of teaching in a Florida public school.

#### TITLE AMENDMENT

Remove line 181 and insert:  
provision of the act; providing that the act may be implemented only upon the completion of certain teaching by members of the Legislature; providing effective dates.

Rep. Bullard moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 757].

The question recurred on the adoption of **Amendment 19**, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 758

Speaker Cretul in the Chair.

Yeas—43

Abruzzo	Cruz	Kriseman	Sachs
Bembry	Fetterman	Long	Sands
Bernard	Fitzgerald	Pafford	Saunders
Boyd	Garcia	Porth	Schwartz
Brandenburg	Gibbons	Randolph	Skidmore
Braynon	Gibson	Reed	Steinberg
Brisé	Heller	Rehwinkel Vasilinda	Thompson, G.
Bullard	Homan	Robaina	Thurston
Bush	Jenne	Roberson, Y.	Waldman
Chestnut	Jones	Rogers	Williams, A.
Clarke-Reed	Kiar	Rouson	

Nays—73

Adams	Coley	Ford	Holder
Adkins	Cretul	Fresen	Hooper
Ambler	Crisafulli	Frishe	Horner
Anderson	Culp	Galvano	Hudson
Aubuchon	Domino	Glorioso	Hukill
Bogdanoff	Dorworth	Gonzalez	Kelly
Bovo	Drake	Grady	Kreegel
Burgin	Eisnaugle	Grimsley	Legg
Cannon	Evers	Hasner	Llorente
Carroll	Flores	Hays	Lopez-Cantera

Mayfield	Planas	Roberson, K.	Van Zant
McBurney	Poppell	Schenck	Weatherford
McKeel	Precourt	Schultz	Weinstein
Murzin	Proctor	Snyder	Williams, T.
Nelson	Rader	Stargel	Wood
O'Toole	Ray	Taylor	Workman
Patronis	Reagan	Thompson, N.	
Patterson	Renuart	Tobia	
Plakon	Rivera	Troutman	

Reed	Rouson	Skidmore	Thurston
Rehwinkel	Sachs	Soto	Waldman
Robaina	Sands	Steinberg	Williams, A.
Roberson, Y.	Saunders	Taylor	
Rogers	Schwartz	Thompson, G.	

Nays—72

Votes after roll call:

Yeas—Soto

Representative Schwartz offered the following:

(Amendment Bar Code: 694351)

**Amendment 20 (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. A task force shall be established within the Department of Education for the purpose of studying the implications and efficacy of implementing policies that emphasize performance-based pay for teachers and policies that raise the standards for teacher certification. The task force shall also study the impact of requiring district school boards to adopt salary schedules that compensate their instructional personnel and school-based administrators on the basis of performance. The task force, in coordination with the Office of Program Policy Analysis and Government Accountability, shall submit a report containing its findings, recommendations, and strategies to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before July 1, 2012.

Section 2. This act shall take effect July 1, 2010.

#### TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to education personnel; requiring that a task force be established within the Department of Education to study the implications and efficacy of implementing policies that emphasize performance-based pay for teachers and policies that raise the standards for teacher certification; requiring that the task force also study the impact of requiring district school boards to adopt salary schedules that compensate their instructional personnel and school-based administrators on the basis of performance; requiring that the task force, in coordination with the Office of Program Policy Analysis and Government Accountability, submit a report containing its findings, recommendations, and strategies to the Governor and the Legislature by a specified date; providing an effective date.

Rep. Schwartz moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 759].

The question recurred on the adoption of **Amendment 20**, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 760

Speaker Cretul in the Chair.

Yeas—46

Abruzzo	Bullard	Garcia	Kiar
Bembry	Bush	Gibbons	Kriseman
Bernard	Chestnut	Gibson	Long
Boyd	Clarke-Reed	Heller	Pafford
Brandenburg	Cruz	Homan	Porth
Braynon	Fetterman	Jenne	Rader
Brisé	Fitzgerald	Jones	Randolph

Adams	Evers	Kreegel	Ray
Adkins	Flores	Legg	Reagan
Ambler	Ford	Llorente	Renuart
Anderson	Fresen	Lopez-Cantera	Rivera
Aubuchon	Frishe	Mayfield	Roberson, K.
Bogdanoff	Galvano	McBurney	Schenck
Bovo	Glorioso	McKeel	Schultz
Burgin	Gonzalez	Murzin	Snyder
Cannon	Grady	Nehr	Stargel
Carroll	Grimsley	Nelson	Thompson, N.
Coley	Hasner	O'Toole	Tobia
Cretul	Hays	Patronis	Troutman
Crisafulli	Holder	Patterson	Van Zant
Culp	Hooper	Plakon	Weatherford
Domino	Horne	Planas	Weinstein
Dorworth	Hudson	Poppell	Williams, T.
Drake	Hukill	Precourt	Wood
Eisnaugle	Kelly	Proctor	Workman

#### Recessed

The House recessed at 6:32 p.m., to reconvene at 7:15 p.m.

#### Reconvened

The House was called to order by the Speaker at 7:15 p.m. A quorum was present [Session Vote Sequence: 761].

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 762].

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 763].

THE SPEAKER PRO TEMPORE IN THE CHAIR

THE SPEAKER IN THE CHAIR

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 764].

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 765].

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 766].

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 767].

The question recurred on the passage of CS for CS for SB 6. The vote was:

Session Vote Sequence: 768

Speaker Cretul in the Chair.

Yeas—64

Adams	Cannon	Eisnaugle	Gonzalez
Adkins	Carroll	Evers	Grady
Ambler	Coley	Flores	Grimsley
Anderson	Cretul	Ford	Hasner
Aubuchon	Crisafulli	Fresen	Hays
Bogdanoff	Domino	Frishe	Holder
Bovo	Dorworth	Galvano	Hooper
Burgin	Drake	Glorioso	Horne

Hudson	McKeel	Proctor	Stargel
Hukill	Murzin	Ray	Thompson, N.
Kelly	Nelson	Reagan	Tobia
Kreegel	O'Toole	Renuart	Troutman
Legg	Patronis	Rivera	Weatherford
Lopez-Cantera	Plakon	Roberson, K.	Williams, T.
Mayfield	Poppell	Schenck	Wood
McBurney	Precourt	Snyder	Workman

Nays—55

Abruzzo	Fitzgerald	Patterson	Schultz
Bembry	Garcia	Planas	Schwartz
Bernard	Gibbons	Porth	Skidmore
Boyd	Gibson	Rader	Soto
Brandenburg	Heller	Randolph	Steinberg
Braynon	Homan	Reed	Taylor
Brisé	Jenne	Rehwinkel	Thompson, G.
Bullard	Jones	Robaina	Thurston
Bush	Kiar	Roberson, Y.	Van Zant
Chestnut	Kriseman	Rogers	Waldman
Clarke-Reed	Llorente	Rouson	Weinstein
Cruz	Long	Sachs	Williams, A.
Culp	Nehr	Sands	Zapata
Fetterman	Pafford	Saunders	

So the bill passed and was certified to the Senate.

### Waiver of the Rules for Council and Committee Meetings and Bills

On motion by Rep. Galvano, Chair, the Health Care Appropriations Committee and Government Operations Appropriations Committee were given permission to meet on Friday, April 9, at 11:00 a.m. until 11:30 a.m. instead of 8:00 a.m. until 8:30 a.m.

The Full Appropriations Council on Education & Economic Development and Policy Council were given permission to meet on Friday, April 9, at 9:30 a.m. until 10:45 a.m. instead of 8:45 a.m. until 10:45 a.m.

The General Government Policy Council, Energy & Utilities Policy Committee, and Finance & Tax Council were also given permission to meet on Friday, April 9, at 11:45 a.m. until 4:45 p.m. instead of 11:30 a.m. until 4:30 p.m.

### Motion to Adjourn

Rep. Cannon moved that the House, after receiving reports, adjourn for the purpose of holding council and committee meetings and conducting other House business, to reconvene at 2:40 a.m., Friday, April 9, 2010, or upon call of the Chair. The motion was agreed to.

### Messages from the Senate

*The Honorable Larry Cretul, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 350, and requests the concurrence of the House.

*R. Philip Twogood, Secretary*

By the Committees on General Government Appropriations; and Agriculture; and Senator Dean—

**CS/CS/SB 350**—A bill to be entitled An act relating to tomato food safety; amending s. 500.03, F.S.; revising the term "food establishment" to include tomato repackers for purposes of the Florida Food Safety Act; creating s. 500.70, F.S.; defining terms; requiring minimum food safety standards for producing, harvesting, packing, and repacking tomatoes; authorizing the

Department of Agriculture and Consumer Services to inspect tomato farms, greenhouses, and packinghouses or repackers; providing penalties; authorizing the department to establish good agricultural practices and best management practices for the tomato industry by rule; providing a presumption that tomatoes introduced into commerce are safe for human consumption under certain circumstances; providing exemptions; authorizing the department to adopt rules; amending s. 570.07, F.S.; authorizing the department to adopt best management practices for agricultural production and food safety; amending s. 570.48, F.S.; revising duties of the Division of Fruit and Vegetables for tomato food safety inspections; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

### Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Homan:

Yeas—April 7: 732

Rep. Planas:

Yeas—April 6: 675, 676, 677, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698; April 7: 709, 724, 726, 728

Nays—March 18: 591; April 7: 702, 704, 706, 707, 708, 718, 720, 722, 730, 732, 734

Rep. Reed:

Yeas—April 7: 734

Rep. G. Thompson:

Yeas—April 7: 713, 715, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734

Rep. Zapata:

Nays—April 7: 713, 715

### First-named Sponsors

HB 525—Fetterman, Pafford

CS/CS/HB 981—Boyd

### Cosponsors

HB 7—Bernard, Boyd, Braynon, Clarke-Reed, Glorioso, Hays, Kreegel, Y. Roberson, Rouson, Sands, Saunders, A. Williams

HB 9—Braynon

CS/HB 97—Long

CS/HM 191—Long, Taylor

HB 261—Proctor

CS/CS/HB 301—Ambler, Homan

CS/HB 361—Evers

CS/HB 417—Adkins

CS for HB 483 & HB 469—Abruzzo, Adams, Glorioso, Kiar, Murzin, O'Toole, Sands, Stargel, Zapata

CS/HB 485—Porth

CS/CS/HB 561—Burgin, T. Williams

HB 651—Cannon, Stargel

CS/HJR 655—Nehr, Randolph

HB 923—Garcia, Robaina

CS/HB 945—Domino, Ford, Frishe, Kreegel

CS/CS/HB 983—Murzin

CS/HB 1009—Drake

CS/HB 1075—Porth

CS/CS/HB 1169—Murzin

CS/CS/HB 1239—Drake

HB 1449—Weinstein

HB 1513—Heller, Horner, Schenck, Van Zant

HB 1587—Ambler

HJR 7039—Adkins

HB 7071—Ambler

HB 7201—Adams, Murzin, Zapata

### Withdrawals as Cosponsor

HB 525—Fetterman, Pafford

### Introduction and Reference

By the Economic Development & Community Affairs Policy Council; Representatives Murzin, Eisnagle, and Holder—

**HB 7213**—A bill to be entitled An act relating to capital formation for infrastructure projects; amending ss. 288.9621, 288.9622, and 288.9623, F.S.; conforming a short title, revising legislative findings and intent, and providing definitions for the Florida Capital Formation Act; conforming cross-references; creating s. 288.9627, F.S.; providing for creation of the Florida Infrastructure Fund Partnership; providing the partnership's purpose and duties; providing for management of the partnership by the Florida Opportunity Fund; authorizing the fund to lend moneys to the partnership; requiring the partnership to raise funds from investment partners; providing for commitment agreements with and issuance of certificates to investment partners; authorizing the partnership to invest in certain infrastructure projects; requiring the partnership to submit an annual report to the Governor and Legislature; prohibiting the partnership and the fund from pledging the credit or taxing power of the state or its political subdivisions; prohibiting the partnership from investing in projects with or accepting investments from certain companies; creating s. 288.9628, F.S.; creating the Florida Infrastructure Investment Trust; providing for powers and duties, a board of trustees, and an administrative officer of the trust; providing for the trust's issuance of certificates to investment partners who invest in the partnership; specifying that the certificates are redeemable for tax credits under certain

conditions; authorizing the trust to charge fees; limiting the amount of tax credits issued; providing for the redemption or sale of certificates; providing for the issuance of the tax credits by the Department of Revenue; specifying the taxes against which the credits may be applied; limiting the period within which tax credits may be used; providing for the state's obligation for use of the tax credits; limiting the liability of the fund; requiring the department to provide a certain written assurance to the trust under certain circumstances; amending s. 213.053, F.S.; authorizing the department to provide tax credit information to the partnership and the trust; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

### First Reading of Council and Committee Substitutes by Publication

By the Criminal & Civil Justice Policy Council; Representative Steinberg—

**CS/HB 449**—A bill to be entitled An act relating to sanctions for certain court pleadings; amending s. 57.105, F.S.; prohibiting a monetary sanction against a represented party for a claim that is presented as a good faith argument but that is found to not be supported by the application of then-existing law to material facts; prohibiting sanctions against a party or its attorneys by a court on its own initiative if the case has already been settled or voluntarily dismissed by that party; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Military & Local Affairs Policy Committee; Representatives Hudson, Burgin, and Porth—

**CS/HB 511**—A bill to be entitled An act relating to Collier County; providing a charter; creating an independent special district to provide children's services in the county; providing for a governing board; providing for membership, terms, and powers and duties of the board; authorizing reimbursement for per diem and travel expenses; requiring certain reports and audits; specifying a fiscal year; providing financial requirements and budget procedures; authorizing the levy of ad valorem assessments and providing a millage cap; requiring a surety bond of certain persons; providing requirements for amendment or dissolution of the district; providing for referendums; providing an effective date.

Proof of Publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; Agriculture & Natural Resources Policy Committee; and Military & Local Affairs Policy Committee; Representative Adkins—

**CS/CS/CS/HB 831**—A bill to be entitled An act relating to Nassau County; providing that certain single-family docks located in the Nassau River-St. Johns River Marshes Aquatic Preserve must meet specified criteria; authorizing the Department of Environmental Protection to take action against owners of docks that do not meet such criteria after a specified date; providing an effective date.

Proof of Publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; and Governmental Affairs Policy Committee; Representatives Eisnagle and Rouson—

**CS/CS/HB 869**—A bill to be entitled An act relating to political advertisements; providing a short title; amending s. 106.143, F.S.; providing

an alternative statement that may be used to identify a candidate as the sponsor of a political advertisement under certain circumstances; providing circumstances under which certain campaign messages and political advertisements are not required to state or display specific information regarding the identity of the candidate, his or her party affiliation, and the office sought in the message or advertisement; authorizing a candidate or political committee to place a statement on a social networking website or account indicating that the site or account is an official site or account approved by the candidate or political committee; prohibiting an official designation without the prior approval by the candidate or political committee; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Family Services Policy Council; and Health Care Regulation Policy Committee; Representatives Hudson and Burgin—

**CS/CS/HB 911**—A bill to be entitled An act relating to electronic health information; amending s. 408.05, F.S.; removing a statement of legislative intent; removing certain restrictions on the use of certain funds and fees received by the Florida Center for Health Information and Policy Analysis; requiring the State Consumer Health Information and Policy Advisory Council to develop the Agency for Health Care Administration's strategic plan relating to electronic health records; amending s. 408.051, F.S.; defining the term "agency"; creating s. 408.0514, F.S.; requiring the agency to coordinate with regional extension centers to implement the use of electronic health records; amending s. 408.061, F.S.; deleting a reference to an administrative rule relating to certain data reported by health care facilities; amending s. 408.0611, F.S.; revising provisions relating to a clearinghouse on information on electronic prescribing; requiring the State Consumer Health Information and Policy Advisory Council or a workgroup representing electronic prescribing and other health information technology stakeholders to participate in quarterly meetings on the implementation of electronic prescribing; requiring the agency to provide a report on the agency's Internet website; amending s. 408.062, F.S.; requiring the agency to post certain information on health care expenditures on the agency's Internet website; amending s. 408.063, F.S.; deleting the requirement that the agency annually publish a report on state health expenditures; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; Representatives Schenck and Hudson—

**CS/HB 1229**—A bill to be entitled An act relating to the New Markets Development Program; amending s. 288.9913, F.S.; revising the definition of the term "qualified active low-income community business" for purposes of the New Markets Development Program Act; amending s. 288.9920, F.S.; extending the period within which a qualified community development entity may cure an investment deficiency; limiting the number of corrections permitted for qualified equity investments; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; and Governmental Affairs Policy Committee; Representative Schenck—

**CS/CS/HB 1307**—A bill to be entitled An act relating to state financial matters; amending s. 121.4501, F.S.; revising and providing definitions; providing for excess account balances in the Public Employee Optional Retirement Program when an employee transfers to the defined benefit program; providing for the use of such excess balance; requiring the State Board of Administration to resolve complaints; providing for the use of records in resolving such complaints; clarifying the state board's rule authority with respect to the program; amending s. 121.4502, F.S.; establishing a forfeiture account in the Public Employee Retirement Program Trust Fund; providing for the use of funds in the account; amending s.

121.591, F.S.; conforming a cross-reference; permitting an application for benefits under the optional retirement program to be submitted by electronic means; amending s. 121.74, F.S.; revising the contribution rates for employers participating in the Florida Retirement System; amending s. 121.78, F.S.; exempting the Division of Retirement, the state board, and the third-party administrator from liability for market losses due to acts of God; amending s. 215.44, F.S.; expanding the authority of the state board to use trust agreements; providing reporting requirements for the state board; amending s. 215.441, F.S.; providing minimum qualifications for the executive director of the state board; amending s. 215.444, F.S.; increasing membership of the Investment Advisory Council; revising membership requirements; providing council meeting and reporting requirements; amending s. 215.47, F.S.; expanding the types of investments that the state board is authorized to make; authorizing moneys available for investment by the state board to be invested in certain federally tax-exempt bonds, notes, or obligations not subject to the federal alternative minimum tax; increasing the fund amount that may be invested in a foreign entity; amending s. 215.52, F.S.; providing requirements for rules made by the state board with respect to certain fiduciary duties; amending s. 218.409, F.S.; providing for extending a moratorium on contributions to or withdrawals from the Local Government Surplus Funds Trust Fund under certain circumstances; authorizing the state board to develop work products that are subject to trademark, copyright, or patent; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Care Appropriations Committee; Representative Weinstein—

**CS/HB 1383**—A bill to be entitled An act relating to pregnant children and youth in out-of-home care; amending s. 39.822, F.S.; requiring courts to appoint by a specified time a pro bono attorney or guardian ad litem for a child or youth in out-of-home care who is pregnant; creating s. 39.8299, F.S.; requiring the Statewide Guardian Ad Litem Office to establish a Specialty Guardian Ad Litem Pilot Program in the Fourth Judicial Circuit to serve children and youth in out-of-home care who are pregnant; providing for development, implementation, administration, and supervision of the program; directing the Statewide Guardian Ad Litem Office, in conjunction with the pilot program, to develop and implement a training program for specialty guardians ad litem; providing requirements for appointment of specialty guardians ad litem by the court; specifying information to be provided to the administrator after an appointment is made; requiring that a pro bono attorney or guardian ad litem be appointed if a specialty guardian ad litem is not available; limiting the specialty guardian ad litem's representation to proceedings under specified provisions; providing that the specialty guardian ad litem does not have the authority to accept notice of termination of pregnancy; providing for a guardian ad litem to be appointed at the end of the specialty guardian ad litem's representation; providing that the pilot program and specialty guardians ad litem are subject to specified provisions relating to the appointment of a guardian ad litem for an abused, neglected, or abandoned child; amending s. 409.146, F.S.; requiring the children and families client and management information system to include information concerning the status and outcomes of pregnant children and youth in licensed care; requiring community-based providers and subcontractors to report specified pregnancy and outcome data to the Department of Children and Family Services; specifying reporting procedures; providing appropriations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal & Civil Justice Policy Council; and Civil Justice & Courts Policy Committee; Representative Dorworth—

**CS/CS/HB 1411**—A bill to be entitled An act relating to foreclosures; amending s. 721.07, F.S.; providing lien disclosure requirements for filed public offering statements for certain timeshare plans; amending s. 721.13, F.S.; requiring officers, directors, and agents of a timeshare owners' association to act in good faith; providing for damages; providing exceptions;

amending s. 721.16, F.S.; authorizing a managing entity to bring a judicial action or a trustee procedure to foreclose certain liens under specified conditions; revising when a lien is effective; renaming part III of chapter 721, F.S., to conform to changes made by this act; amending s. 721.81, F.S.; revising and providing legislative purposes of the part; amending s. 721.82 F.S.; revising and providing definitions; amending s. 721.83, F.S., relating to consolidation of foreclosure actions; clarifying application to judicial foreclosure actions; amending s. 721.85, F.S., relating to service to notice address or on registered agent; conforming provisions to changes made by this act; creating s. 721.855, F.S.; establishing procedure for the trustee foreclosure of assessment liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing application; providing for actions for failure to follow the trustee foreclosure procedure; creating s. 721.856, F.S.; establishing procedure for the trustee foreclosure of mortgage liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing for actions for failure to follow the trustee foreclosure procedure; amending s. 721.86, F.S.; providing for priority of application in case of conflict; conforming terminology to changes made by this act; amending s. 721.20, F.S.; revising exemptions from certain licensing requirements; amending s. 727.113, F.S.; providing for calculation of deficiency judgments related to an assignment for the benefit of creditors when the property is abandoned to the mortgagee; providing applicability to pending cases; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Care Regulation Policy Committee; Representative Flores—

**CS/HB 1503**—A bill to be entitled An act relating to health care; amending s. 112.0455, F.S., and repealing paragraph (10)(e), relating to a prohibition against applying the Drug-Free Workplace Act retroactively; conforming a cross-reference; repealing s. 383.325, F.S., relating to the requirement of a licensed facility under s. 383.305, F.S., to maintain inspection reports; repealing s. 395.1046, F.S., relating to the investigation of complaints regarding hospitals; repealing s. 395.3037, F.S.; deleting definitions relating to obsolete provisions governing primary and comprehensive stroke centers; amending s. 400.0239, F.S.; deleting an obsolete provision; repealing s. 400.147(10), F.S., relating to a requirement that a nursing home facility report any notice of a filing of a claim for a violation of a resident's rights or a claim of negligence; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; repealing s. 400.195, F.S., relating to reporting requirements for the Agency for Health Care Administration; amending s. 400.476, F.S.; providing requirements for an alternate administrator of a home health agency; revising the duties of the administrator; revising the requirements for a director of nursing for a specified number of home health agencies; prohibiting a home health agency

from using an individual as a home health aide unless the person has completed training and an evaluation program; requiring a home health aide to meet certain standards in order to be competent in performing certain tasks; requiring a home health agency and staff to comply with accepted professional standards; providing certain requirements for a written contract between certain personnel and the agency; requiring a home health agency to provide certain services through its employees; authorizing a home health agency to provide additional services with another organization; providing responsibilities of a home health agency when it provides home health aide services through another organization; requiring the home health agency to coordinate personnel who provide home health services; requiring personnel to communicate with the home health agency; amending s. 400.487, F.S.; requiring a home health agency to provide a patient or the patient's legal representative a copy of the agreement between the agency and the patient which specifies the home health services to be provided; providing the rights that are protected by the home health agency; requiring the home health agency to furnish nursing services by or under the supervision of a registered nurse; requiring the home health agency to provide therapy services through a qualified therapist or therapy assistant; providing the duties and qualifications of a therapist and therapy assistant; requiring supervision by a physical therapist or occupational therapist of a physical therapist assistant or occupational therapy assistant; providing duties of a physical therapist assistant or occupational therapy assistant; providing for speech therapy services to be provided by a qualified speech-language pathologist or audiologist; providing for a plan of care; providing that only the staff of a home health agency may administer drugs and treatments as ordered by certain health professionals; providing requirements for verbal orders; providing duties of a registered nurse, licensed practical nurse, home health aide, and certified nursing assistant who work for a home health agency; providing for supervisory visits of services provided by a home health agency; repealing s. 408.802(11), F.S., relating to the applicability of the Health Care Licensing Procedures Act to private review agents; repealing s. 409.912(15)(e), (f), and (g), F.S., relating to a requirement for the Agency for Health Care Administration to submit a report to the Legislature regarding the operations of the CARE program; repealing s. 429.12(2), F.S., relating to the sale or transfer of ownership of an assisted living facility; repealing s. 429.23(5), F.S., relating to each assisted living facility's requirement to submit a report to the agency regarding liability claims filed against it; repealing s. 429.911(2)(a), F.S., relating to an intentional or negligent act materially affecting the health or safety of center participants as grounds for which the agency may take action against the owner of an adult day care center or its operator or employee; requiring persons who apply for licensure renewal as a dentist or dental hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding the state's dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state's dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; Representatives Weatherford, Ambler, and McBurney—

**CS/HB 1525**—A bill to be entitled An act relating to a nonbinding statewide advisory referendum; requiring that a question regarding a balanced federal budget be printed on the ballot and submitted to the voters in the 2010 general election; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Military & Local Affairs Policy Committee; Representative Porth—

**CS/HB 1621**—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida; extending and enlarging the boundaries of the district; providing an effective date.

Proof of Publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; and Governmental Affairs Policy Committee; Representatives Schenck, Aubuchon, Crisafulli, Fresen, and Wood—

**CS/HB 7095**—A bill to be entitled An act relating to residential fire sprinkler requirements; amending s. 553.73, F.S.; prohibiting incorporation into the Florida Building Code of certain mandatory residential fire sprinkler provisions of the International Residential Code; prohibiting a requirement for installation of fire sprinklers in single-family dwelling units; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; and Governmental Affairs Policy Committee; Representative K. Roberson—

**CS/HB 7165**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 741.3165(3), F.S.; removing the scheduled repeal of an exemption from public records requirements for specified identifying information in records created by a domestic violence fatality review team and an exemption from public meetings requirements for specified meetings of a domestic violence fatality review team; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

## Reference

**CS/CS/HB 747**—Referred to the Calendar of the House.

## House Resolutions Adopted by Publication

At the request of Rep. Culp—

**HR 9003**—A resolution recognizing the week of June 21-25, 2010, as "Humane Society Appreciation Week" in Florida.

WHEREAS, as of 2006, there were 48 humane societies in the this state serving 43 counties in the struggle with domestic animal overpopulation, and

WHEREAS, humane societies work to promote animal adoption and education, eliminate animal overpopulation, prevent animal cruelty, and relieve animal suffering, and

WHEREAS, humane societies have diligently served many Florida communities for as many as 45 years, and

WHEREAS, the estimated population of more than 800,000 unwanted and stray animals euthanized in Florida each year constitutes a potential health risk for rabies and other contagious diseases in this state, and

WHEREAS, each year humane societies work to locate permanent homes for thousands of unwanted animals and to promote regional spay/neuter campaigns as a preventive and responsible measure for controlling the domestic animal overpopulation in this state, and

WHEREAS, as of 2006, humane societies were staffed by an estimated 10,000 Florida residents who unselfishly volunteer their time, energy, and expertise, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the humane societies across this state are commended for protecting the health, safety, and welfare of the people and animals of this state and that the week of June 21-25, 2010, is recognized as "Humane Society Appreciation Week" in Florida.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Reed—

**HR 9017**—A resolution recognizing April 8, 2010, as "Sickle Cell Advocacy and Empowerment Day" in the State of Florida.

WHEREAS, the health and welfare of the residents of the State of Florida are vital state and national concerns, and

WHEREAS, Sickle Cell Disease predominantly affects African Americans, but also affects other ethnic populations, including persons of Greek, Turkish, Italian, Hispanic, and East Indian descent, and

WHEREAS, the Sickle Cell Disease Association of Florida, Inc., consisting of sixteen chapters throughout Florida, aids individuals and families affected by Sickle Cell Disease, and

WHEREAS, April 8, 2010, will be the third annual Sickle Cell Disease Association of Florida Advocacy and Empowerment Day at the Capitol and the association will be providing activities to increase awareness of this disease, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That April 8, 2010, is recognized as "Sickle Cell Advocacy and Empowerment Day" in the State of Florida.

—was read and adopted by publication pursuant to Rule 10.16.

## Reports of Standing Councils and Committees

### Received April 7:

The Economic Development & Community Affairs Policy Council reported the following favorably:

CS/HB 393

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:

CS/HB 451

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:

CS/HB 485

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 551

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 859

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 903

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 937

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 955

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1045

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1047

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1049

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1051

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1053

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1055

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:

CS/HB 1059

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 1113

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1121

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1195

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1215

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1249

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 1297

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 1403

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1519

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 1547

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 1551

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1625

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 1627

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 7153

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 7167

The above bill was placed on the Calendar of the House.

#### Received April 8:

The Military & Local Affairs Policy Committee reported the following favorably:  
HB 511 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 511 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/CS/HB 831 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/CS/HB 831 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 869 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 869 was laid on the table.

The Health & Family Services Policy Council reported the following favorably:  
CS/HB 911 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 911 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 957

The above committee substitute was placed on the Calendar of the House.

The Military & Local Affairs Policy Committee reported the following favorably:  
CS/HB 1017

The above committee substitute was placed on the Calendar of the House.

The Military & Local Affairs Policy Committee reported the following favorably:  
HB 1155

The above bill was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1229 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1229 was laid on the table.

The Military & Local Affairs Policy Committee reported the following favorably:  
CS/HB 1303

The above committee substitute was placed on the Calendar of the House.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
CS/HB 1307 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1307 was laid on the table.

The Health Care Appropriations Committee reported the following favorably:  
HB 1383 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1383 was laid on the table.

The Health Care Regulation Policy Committee reported the following favorably:  
HB 1503 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1503 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 1525 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1525 was laid on the table.

The Military & Local Affairs Policy Committee reported the following favorably:  
HB 1621 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1621 was laid on the table.

The Military & Local Affairs Policy Committee reported the following favorably:  
HB 1629

The above bill was transmitted to the next council or committee of reference, the Economic Development & Community Affairs Policy Council.

The Military & Local Affairs Policy Committee reported the following favorably:  
HB 1631

The above bill was placed on the Calendar of the House.

The Military & Local Affairs Policy Committee reported the following favorably:  
HB 1635

The above bill was transmitted to the next council or committee of reference, the Economic Development & Community Affairs Policy Council.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 7095 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 7095 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 7109 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 7109 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:  
HB 7165 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 7165 was laid on the table.

### **Adjourned**

Pursuant to the motion previously agreed to, the House adjourned at 2:31 a.m., April 9, 2010, to reconvene at 2:40 a.m., Friday, April 9, 2010, or upon call of the Chair.

## CHAMBER ACTIONS ON BILLS

Thursday, April 8, 2010

SJR	2 — Read 3rd time; Amendment 107469 Failed; Passed; YEAS 77, NAYS 41	HB	245 — Substituted CS/SB 436; Laid on Table, refer to CS/SB 436
CS for CS for SB	4 — Read 3rd time; CS passed; YEAS 106, NAYS 12	CS for SB	436 — Read 1st time; Read 2nd time; Substituted for HB 245; Read 3rd time; CS passed; YEAS 117, NAYS 0
CS for CS for SB	6 — Read 3rd time; Amendment 415859 Failed; Amendment 699345 Failed; Amendment 430383 Failed; Amendment 085183 Failed; Amendment 024057 Failed; Amendment 073939 Failed; Amendment 694351 Failed	CS for SB	2126 — Read 3rd time; Amendment 197235 Failed; CS passed; YEAS 95, NAYS 23

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